

IDAHO CONTRACTORS BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 1/22/2014

BOARD MEMBERS PRESENT: John Robert Pilote - Chair
Deborah Ann Karren
Scott Schriber
Charles Roy Ellis

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Eric Nelson, Board Prosecutor
Erin Anderson, Technical Records Specialist

OTHERS PRESENT: Travis Nielson, DBA Travis Nielson Construction
Richard Jackson, DBA Richard Jackson Construction
Ron Law
Neil Colwell, Dig Line Inc. and Avista Corp.

The meeting was called to order at 8:33 AM MST by John Robert Pilote.

Mr. Pilote noted that Ms. Hall's place on the agenda would be moved to the bottom of the staff reports.

APPROVAL OF MINUTES

Mr. Schriber made a motion to approve the minutes of 12/17/2013. It was seconded by Mr. Ellis. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She distributed copies of legislation that may be proposed to revise Idaho Code 54-5210. This proposal would create an inactive status in which the contractor would not be required to hold current insurance. While their registration is inactive, they would be able to hold themselves out as a contractor by advertising and submitting bids. The Board discussed the potential difficulty tracking this inactive status because it would be difficult for consumers to know that a person was not carrying insurance if they are allowed to bid and advertise. It was discussed that other Boards do not have an inactive status that allows the inactive registrant to hold themselves out as a practitioner of the profession while their license is inactive.

The Board also discussed that registrants can currently cancel the registration if they are not holding current insurance. They can reinstate the registration by paying a \$25 fee. This proposal would create a new \$35 inactive fee and a \$35 reinstatement fee, which would increase the cost to the registrant.

There was some concern by the Board that this would create an additional layer of administration that would potentially cost the Board additional money. The Board has tried to keep registration fees low, so any increase is a cause for concern.

Ms. Cory introduced Mr. Colwell and Mr. Law to give an update on the Dig line proposal that would allow the Contractors Board to discipline to registrants who dig before calling and cause damage to underground facilities. The Board discussed recovery of expenses that it may incur when enforcing the act.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case numbers CON-2013-6, CON-2013-9, CON-2012-74, CON-2012-3, CON-2012-59, and CON-2014-7. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Schriber made a motion to close CON-2012-82 with a warning letter. It was seconded by Ms. Karren. Motion carried.

Mr. Schriber made a motion to close CON-2013-53 with a warning letter. It was seconded by Mr. Ellis. Motion carried.

Ms. Karren made a motion to close CON-2012-38 with a warning letter. It was seconded by Mr. Schriber. Motion carried.

Mr. Schriber made a motion to close CON-2012-64 with a warning letter. It was seconded by Mr. Ellis. Motion carried.

Mr. Nelson presented Stipulation and Consent Orders in case numbers CON-2012-6, CON-2012-35, CON-2012-46, CON-2013-21, and CON-2013-61. Mr. Ellis made a motion to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Karren. Motion carried.

Mr. Nelson presented Findings of Fact, Conclusions of Law and Final Orders in case numbers CON-2012-40, CON-2012-45, CON-2012-72, CON-2013-77, CON-2014-9, and CON-2014-12. Mr. Ellis made a motion to approve the Final Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Karren. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Schriber made a motion to close I-CON-2014-68, I-CON-2014-70, I-CON-2014-74, I-CON-2014-76, I-CON-2014-102, I-CON-2014-103, I-CON-2014-111, I-CON-2014-112, I-CON-2014-113, I-CON-2014-117 and I-CON-2014-118. It was seconded by Mr. Ellis. Motion carried.

Mr. Schriber made a motion to close I-CON-2014-23 and I-CON-2014-32. It was seconded by Mr. Ellis. Motion carried.

Ms. Peel presented a Findings of Fact, Conclusions of Law and Final Order in case number CON-2014-55. Mr. Schriber made a motion to approve the Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Ellis. Motion carried.

EXECUTIVE SESSION

Mr. Schriber made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Ellis. The vote was: Mr. Schriber, aye; Mr. Ellis, aye; Mr. Pilote, aye; and Ms. Karren, aye. Motion carried.

Mr. Schriber made a motion to come out of executive session. It was seconded by Mr. Ellis. The vote was: Mr. Schriber, aye; Mr. Ellis, aye; Mr. Pilote, aye; and Ms. Karren, aye. Motion carried.

APPLICATIONS

Mr. Schriber made a motion to approve the following for registration:

RCT-36221	Travis Nielson
RCT-36342	Jared Eaton
RCT-36479	Chris Blakeslee
RCE-36460	Active Real Estate Services LLC

It was seconded by Mr. Ellis. Motion carried.

Mr. Schriber made a motion to deny the following applicant for failure to comply with Idaho Code 54-5210(1)(a):

CONA-35975	Miguel Paucar
------------	---------------

It was seconded by Ms. Karren. Motion carried.

Mr. Ellis made a motion to approve the following applicant for registration once general liability in the name of the applicant has been received:

#901131057

It was seconded by Mr. Schriber. Motion carried.

Mr. Schriber made a motion to approve the following applicant for registration:

RCT-36618 Mathew L. Leavitt

It was seconded by Ms. Karren. Motion carried.

Mr. Schriber made a motion to approve the following applicant for registration once general liability in the name of the applicant has been received:

#901130998

It was seconded by Mr. Ellis. Motion carried.

Mr. Ellis made a motion to table the following applicant until completion of their probation:

#901099087

It was seconded by Mr. Schriber. Motion carried.

Mr. Schriber made a motion to approve the following applicant's request to update their registration file with the new business name and allow this registrant to maintain their existing registration number and type:

RCE-3028 Wallace Construction, LLC-DBA Wallace Custom Design and
Renovation

It was seconded by Mr. Ellis. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$217,530.36 as of 12/31/2013.

Ms. Hall presented to the Board a request to approve payment of \$6805.62 in travel vouchers that should have been submitted in the last fiscal year. It was mentioned that this expense may not be paid until the end of the fiscal year in order to ensure it is within this year's appropriation. The Board agreed to the payment of this bill when the money is available.

Ms. Hall discussed e-mail correspondence received from a registrant requesting a refund of his reinstatement fee. Mr. Ellis recused himself from voting and discussion. After discussion, Mr. Schriber made a motion to deny the refund request. It was seconded by Ms. Karren. Motion carried.

TO DO LIST

The Board reviewed their "To Do" list noting that they had no updates or additions at this time.

NATIONAL ASSOCIATION OF STATE CONTRACTING LICENSING AGENCIES

The Board reviewed the current information that has been provided to NASCLA for the State Licensing Directory. The Board had no changes.

NEXT MEETING

The Board arranged the following future meeting dates:

2/18/2014 Conference Call	10:00 AM
3/18/2014 Conference Call	10:00 AM
4/15/2014 Face-to-Face	8:30 AM
5/13/2014 Conference Call	10:00 AM

NEXT MEETING was scheduled for 2/18/2014.

ADJOURNMENT

Mr. Ellis made a motion to adjourn the meeting at 1:03 PM. It was seconded by Mr. Schriber. Motion carried.

John Robert Pilote, Chair

Deborah Ann Karren

Scott Schriber

Charles Roy Ellis

Tana Cory, Bureau Chief